

1 BILL NO. X-81- 12-25

3 ANNEXATION ORDINANCE NO. X-01-82

4 AN ORDINANCE annexing certain territory  
5 commonly known as Orchard Woods Annexation  
6 to Fort Wayne, and including the same in  
7 Councilmanic District No. 3.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
9 INDIANA:

10 SECTION 1. That the following described territory be, and the  
11 same is hereby, annexed to and made a part of the coporation of the City  
12 of Fort Wayne, Indiana, to-wit:

13 Part of S½ of Section 12, Township 31 North, Range 12 East;  
14 also part of N½ of Section 13, Township 31 North, Range 12  
15 East; also part of W½ of Section 7, Township 31 North, Range  
16 13 East; of W½ of Section 18, Township 31 North, Range 13 East;

17 To Wit:

18 Beginning at the NE corner of Lot #11 in Springwood  
19 Addition, Section I; thence south a distance of  
20 637.4 feet along the east line of Lots 11-20, all  
21 inclusive, in Springwood Addition, Section I; thence  
22 east a distance of 575.2 feet along the north line  
23 of Lots 22-30, all inclusive, in Springwood Addition,  
24 Section I, thence south along the east line of Lot 30  
25 in Springwood Addition, Section I, a distance 57.5 feet  
26 to a point; thence east on a line 600 feet north of and  
27 parallel with the south line of A.F. Smith's Subdivision  
28 to its intersection with the southeast right-of-way line  
29 of Interstate Road #69; thence northeasterly along the  
30 southeast right-of-way line of said Road to its inter-  
31 section with the west right-of-way of Auburn Road; thence  
32 northwesterly along the west right-of-way of Auburn Road  
to the north right-of-way line of Cook Road; thence west  
along the north right-of-way line of Cook Road to a  
point located 506.8 feet west of the SE corner of the  
SW¼ of Section 12, Township 31 North, Range 12 East;  
thence south to the south right-of-way line of Cook Road;  
thence west to the point of beginning. Area contains 75  
acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish  
the above described territory within a period of one (1) year from the  
effective date of annexation, governmental services of a non-capital nature  
in a manner which is equivalent in standard and scope to those non-capital  
services provided to area within the City which have similar topography,

patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE

  
Councilmember

APPROVED AS TO FORM AND LEGALITY

  
BRUCE O. BOXBERGER, CITY ATTORNEY

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after, due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN - CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT!
TOTAL VOTES	8	0		1	
BRADBURY	X				
BURNS	X				
EISBART	X				
GiaQUINTA	X				
NUCKOLS				X	
SCHMIDT	X				
SCHOMBURG	X				
STIER	X				
TALARICO	X				

DATE: 3/23/82

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) - (~~GENERAL~~) (ANNEXATION) (SPECIAL)

(APPROPRIATION) ORDINANCE (RESOLUTION) NO. X-01-82

on the 23rd day of March, 1982.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Samuel J. Talarico  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of March, 1982, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 25th day of March, 1982, at the hour of 4 o'clock P. M., E.S.T.

Win Moses, Jr.  
WIN MOSES, JR. - MAYOR

Read the first time in full and on motion by East, seconded by Star, and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 12-8-81

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>EISBART</u>	_____	_____	_____	_____	_____
<u>GIAQUINTA</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>SCHOMBURG</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

ATTEST: (SEAL)

CHARLES W. WESTERMAN - CITY CLERK

\_\_\_\_\_  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of 19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

\_\_\_\_\_  
WINFIELD C. MOSES, JR.  
MAYOR

*1/11/82*  
*7/11/82*  
BILL NO. X-81-12-25

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON Annexation TO WHOM WAS REFERRED AN  
ORDINANCE annexing certain territory commonly known as Orchard  
Woods Annexation to Fort Wayne, and including the same in  
Councilmanic District No. 3

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

JANET G. BRADBURY - CHAIRMAN

DONALD J. SCHMIDT - VICE CHAIRMAN

BEN A. EISBART

MARK E. GIAQUINTA

PAUL M. BURNS

*Janet G. Bradbury*  
*DJ Schmidt*

*Mark E. Giaquinta*  
*Paul M. Burns*

CONCURRED IN  
DATE 3/23/82 CHARLES W. WESTERMAN, CITY CLERK

DIGEST SHEET

Admn. Appr. \_\_\_\_\_

X-81-12-25

TITLE OF ORDINANCE Ordinance for Orchard Woods Annexation

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning

SYNOPSIS OF ORDINANCE Ordinance annexes said territory to the City of Fort Wayne.

The annexation area contains approximately 75 acres and is bounded on its southern and western sides and partially on its northern side by the City. The basis for

annexing this area is the provision of State law that allows the annexation of an area if at least one fourth ( $\frac{1}{4}$ ) of its aggregate external boundaries border the

City's and that it is needed and can be used by the City for its future development in the reasonably near future.

EFFECT OF PASSAGE Described territory will become part of the City. In addition, annexation will expand the City's tax base and will allow the City to keep pace with urban growth. Finally, because the existing City boundaries in this area are so irregular, this annexation will expedite the efficient delivery of urban services.

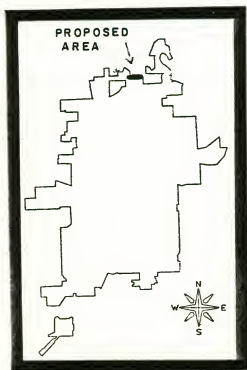
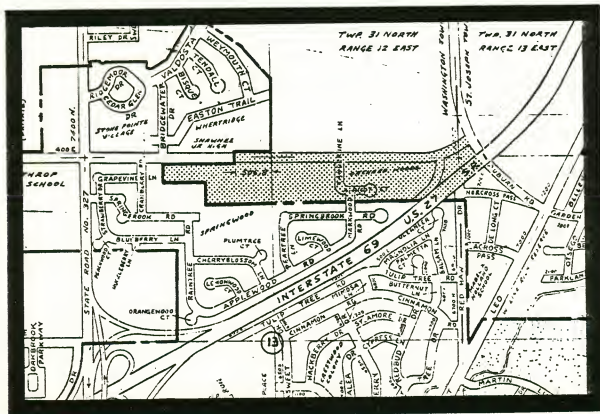
EFFECT OF NON-PASSAGE The area will not become part of the City.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by the Fiscal Plan, which will be prepared by the Department of Community Development and Planning.

ASSIGNED TO COMMITTEE (J.N.) Annexation

# ORCHARD WOODS ANNEXATION

## FISCAL PLAN



DEPARTMENT OF COMMUNITY  
DEVELOPMENT AND  
PLANNING





## PREFACE

The Orchard Woods Annexation Area is located north of the City of Fort Wayne (see Figure 1). Twenty-five years ago the area was predominantly rural in nature. However, with the continued growth of the City, the Orchard Woods area is now in a transitional phase--increasingly becoming more urban and less rural.

As an area is transformed from a rural environment to an urban one, planning problems can become particularly acute, especially if the area continues to be governed by predominantly rural ordinances. In order to promote orderly growth which is compatible with the existing urban environment, it is important that transitional areas like Orchard Woods become part of the City.

Recognizing the importance of efficient and compatible growth, the State Legislature has created a mechanism (annexation) which enables cities to combat some of the problems of urban growth. However, in order to ensure that the annexation process is equitable, the Legislature has created a specific list of requirements which must be met if a valid annexation is to occur. The Orchard Woods annexation conforms to these requirements in that the annexation area is at least twenty-five percent contiguous to the City and that it is needed and can be used by the City for its future growth and development. In addition, the state law requires that a written fiscal plan be prepared. This report, which will examine the financial impact of the Orchard Woods annexation upon the City and which will provide a record of the costs and the methods of providing and financing urban services to the annexation area, will meet the Fiscal Plan requirements stipulated by state statute.



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## Section One - Basic Data

### A. LOCATION

The area proposed for annexation is located north of the City of Fort Wayne and is bounded on the north by Cook Road, on the east by Auburn Road and I-69, and on the south and west by the City. Figure 1 shows the annexation area in more detail.

### B. SIZE

The Orchard Woods Annexation Area encompasses approximately 74 acres.

### C. POPULATION

Advanced report figures from the 1980 Census of Population and Housing show that there are 2.61 persons per dwelling unit in the part of Washington Township that is outside of Fort Wayne. Multiplying this figure by the 47 dwelling units that are in the annexation area, we estimate that there are 123 people in this area. This is approximately 1.66 persons per acre.

### D. BUILDINGS

Type	Number
Single Family Units	33
Multiple-Family Units	14
Commercial Units	3
Institutional Units	2

### E. LAND USE

Type	Acres	Percent
Residential	33	45%
Commercial	3	4%
Agricultural/Vacant	11	15%
Institutional	15	20%
Streets	12	16%

### F. ZONING

The present county zoning for this area is RS-1 (Suburban Residential). Upon annexation, the land will be in the territorial jurisdiction of the City Plan Commission and will be zoned R-1 (Single-Family Residential).

## Section Two – Planning

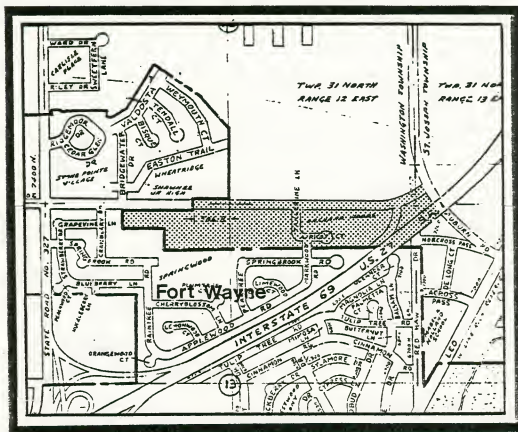
#### A. STATE LAW

The Orchard Woods area is being annexed under the criteria that "at least one fourth of the aggregate external boundaries sought to be annexed coincides with the boundaries of the municipality; and that the territory sought to be annexed is needed and can be used by the municipality for its development in the reasonably near future" (IC-36-4-3-13). This section will explain how the annexation area meets this criteria and why the annexation will be in the best interests of both the area residents and the City.

## B. CONTIGUITY

Orchard Woods is bounded on the south and west, and partially on the north by the City of Fort Wayne. Sixty percent of its aggregate boundaries are contiguous with the City. If the Concordia Gardens annexation case is decided in favor of the City, approximately 70% of the annexation area will be contiguous to the City.

Figure 1



### Location



and the annexations which have occurred since the report was issued.

#### D. AREA DEVELOPMENT

Twenty-five years ago (1956) the annexation area and its environs could be characterized as being in the "countryside". The freeway (I-69) had not yet been constructed and the City Limits were still some distance away. Most of the subdivisions had not yet been built, and of the few homes that were existing, most of them were single-family homes situated on large lots.

However, due to several socioeconomic trends, this rural environment was quickly threatened. First of all, the population of the Fort Wayne metropolitan area was increasing. From a population of 12,608 in 1960, Washington Township had grown to 23,851 by 1980. This trend was exacerbated by a decrease in the number of persons per dwelling unit. In Washington Township in 1970, there were 3.24 persons per dwelling unit. By 1980, the number had decreased to 2.47 persons per dwelling unit. Thus, new housing had to be found for not only the 11,243 new residents that had moved into Washington Township, but additional housing had to also be provided for those people who were already living there. For example, at a rate of 3.24 persons per dwelling unit, the 1960 population would need 3,891 housing units. If the rate was 2.47, the same population would need 5,104 units.

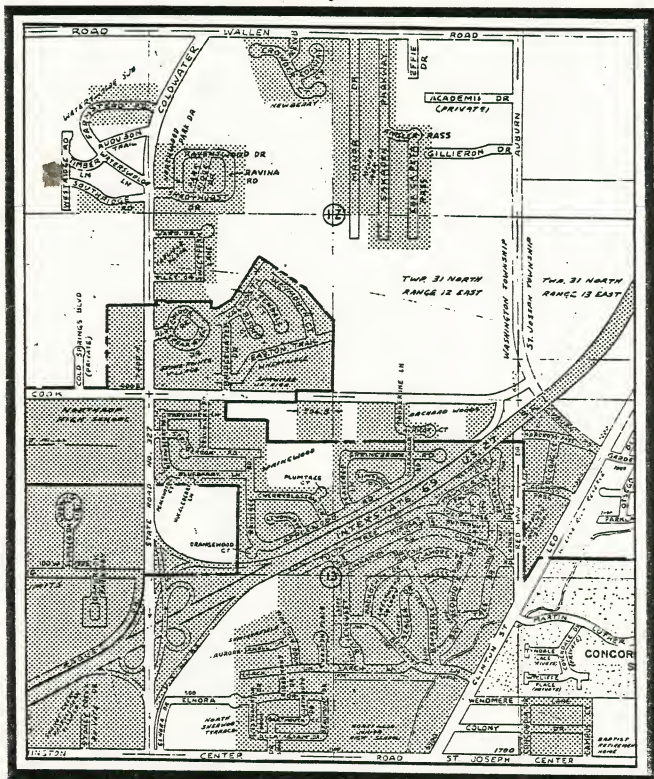
With these and other socioeconomic trends occurring throughout the 1960's, 70's and 80's, the rural annexation area was quickly engulfed by urban growth. Figure 3 shows the development that has taken place in the annexation area since 1956.

The annexation area has also participated in this growth. In 1969, a 14-unit apartment complex was constructed. Very soon afterwards, water service was extended to the complex. In the mid-1970's the Lincoln Elementary School was built, as was the Shawnee Junior High School directly across Cook Road. Both sewer and water lines were extended into the area to serve the two schools. In 1979, final plat approval was given for the construction of Section B of the Orchard Woods Subdivision. Again, sewer and water service was extended into the area to serve the newly constructed homes. In 1980, the Cook Road Lutheran Church was completed and construction is presently underway on expanding the facility.

#### E. FUTURE DEVELOPMENT

Vacant land which is contiguous to the City is particularly suitable for urban growth, and a policy of adjacent urban growth has been endorsed by both the City and the County Plan Commissions. Such growth allows for the more efficient planning and delivery of urban services and minimizes the problems of scattered growth.

Figure 3

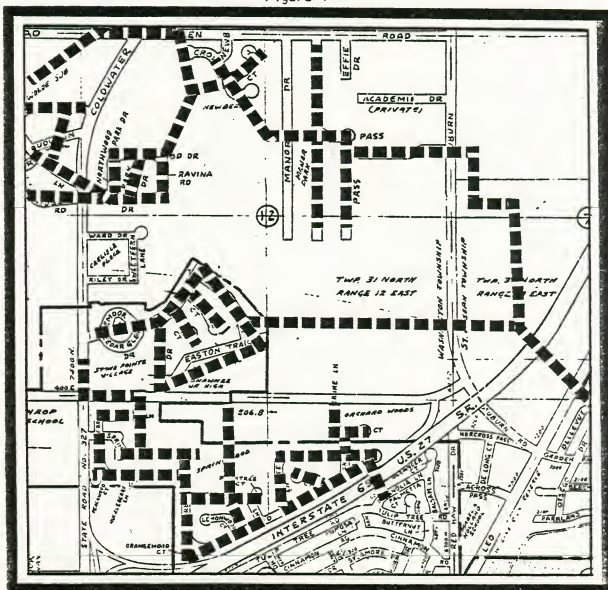


Area Development  
(1956 - 1981)



In order for adjacent urban growth to take place in an orderly manner, not only must an area have vacant land, it must also be within a reasonable distance of urban services. The Orchard Woods annexation area meets this criterion. As Figures 4 and 5 shows, sewer and water lines have been extended into and beyond the area. Also, 15% of the annexation area is presently vacant (see Figure 6). This land can be used by the City for its development in the reasonably near future. In fact, a large sign erected on Lot C of A.F. Smith's Subdivision indicates that this four-acre tract is being broken up into smaller parcels and sold. Development of this tract may occur in the very near future.

Figure 4



Sewer Lines

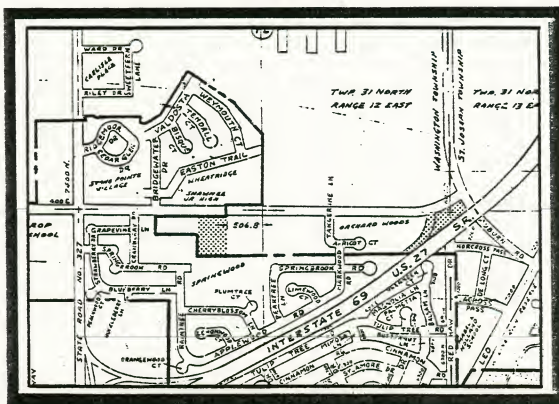


7



Development is also expected to occur in the reasonably near future in areas north of the annexation area. Figure 7 shows a large expanse of land that has been accumulated by the Midwestern United Life Insurance Company. Because such a large amount of land has been assembled by one owner, and because important urban services (water, sewer and school) are available in adjacent areas, it is anticipated that growth will occur in this area in the reasonably near future.

Figure 6



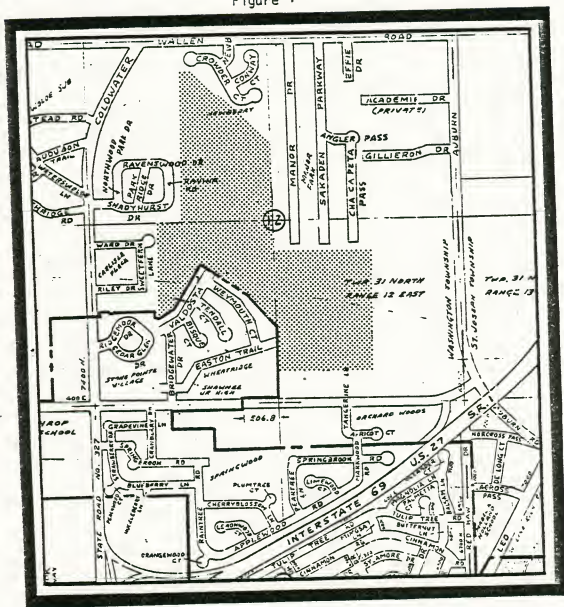
## Vacant Land in Annexation Area

### F. PLANNING CONTROL

One of the most troubling sections of any metropolitan area is the so-called "urban fringe" -- that point at which the city and country overlap. These areas can be particularly troublesome if they are experiencing growth and are in danger of tipping (become more urban than rural). When an area reaches this point, formerly acceptable practices, such as the use of septic tanks, begin to become nuisances, and may even jeopardize the health and welfare of area residents.

One of the key roles of annexation is to provide a mechanism by which the City can have planning control over all new development in these areas when they are in the transitory stage of becoming urban. This will ensure that all new development be consistent with City standards and practices. This is important because development that occurs under the less stringent County standards may soon be annexed into the City and the difference between City and County standards may create problems. An example of this has occurred in the Orchard Woods area. Because of the rural character of the area in the early 1950's, it was fiscally justifiable not to have sidewalks

Figure 7



Vacant Land Held by One Owner

along Cook Road. However, as the subdivisions and schools have been built in the area, the need for sidewalks becomes evident. In fact, an accident prompted the City to annex a section of Cook Road in 1976 for the express purpose of helping to construct a sidewalk between Coldwater Road (the Springwood Subdivision) and the two schools. Under County standards, the residents or subdevelopers are required to pay for the total cost of sidewalk construction. City standards require that the residents pay only 75% of the cost for new sidewalks, while the City will pay for 25% of the cost. This issue is important because with the construction

of Section B of Orchard Woods in 1979, a significant number of children are walking along Cook Road between the two schools and Orchard Woods and this part of the road has no sidewalks. As the standards have not changed between 1976 and today, if the residents want to see a sidewalk constructed between Orchard Woods and the schools, they will have to pay 100% of the cost if they are County residents, and only 75% of the cost if they are City residents. Also, if Orchard Woods is annexed to the City, the residents will be able to take advantage of the Barrett Bonding procedure which will allow them to pay for the cost of sidewalks and other types of construction at low interest rates over a ten-year period. As County residents, they cannot take advantage of the Barrett Bonding process.

#### G. SERVICE PROVISION

This annexation will benefit both the City and the area residents because it will establish a compact and uniform City boundary that will increase the efficiency and proficiency of the Urban Service system. The existing boundaries are irregular and can be quite confusing. This problem is particularly acute because the Orchard Woods subdivision is dissected by the City Limits. Most of the subdivision is in the City, but a significant portion of it is in the County. Determining which house is in or out of the City can be a confusing and perhaps dangerous situation for the City or County police and firemen that may be called and asked for assistance.

#### H. SUMMARY

In view of all the information discussed above, the annexation of the Orchard Woods area should take place because of the following reasons:

- (1) The area is bounded by the City on three sides. Thus, annexation will create a more compact City boundary and will correspond to the adjacent growth strategies of the City and County Plan Commissions. Also, due to the compactness and regularity of the City's boundaries, services would be provided more efficiently.
- (2) The residents of the Orchard Woods area have a unity of interest with the City of Fort Wayne. Many of them work in the City. Moreover, whether it be going to a major shopping mall, eating out at a fine restaurant, participating in the Three Rivers Festival, or going to a City park, most residents, if not all, take advantage of the many cultural, recreational, and social opportunities the City has to offer. Because of this, they should share equally in the cost of operating the City.

- (3) Because the area will become more urban in the future, it is important that the City be able to exercise planning control over it. This will, in the long-run, ameliorate or even eliminate many potential problems which will result if the area remains independent of the City.
- (4) Even if the area does not grow, it should still be annexed because development has "leap-frogged" it and further development is expected in these areas. In order for the City to influence and direct this growth, it must first annex the Orchard Woods area and use it as a springboard for the annexations of these other areas.

#### FOOTNOTES

1 Annexation Policy and Program Study, Department of Community Development and Planning, August 1975, p. 18.

## Section Three - Municipal Services

This section of the Fiscal Plan forecasts the estimated costs and methods of financing the planned services for the Orchard Woods Annexation Area. The plan also describes how and when the City plans to extend the services of a noncapital improvement and capital improvement nature. As will be seen, the explanations of the above provisions do satisfy the requirements of Indiana State Law.

In 1979, the Fort Wayne City Council adopted Resolution No. R-56-79. This Resolution establishes a policy for providing municipal services to annexed areas. The directives of Resolution R-56-79, which are based on state annexation law, are followed by this Fiscal Plan. The municipal services described in this section are analyzed according to the needs of the Orchard Woods Annexation Area, along with the costs of providing these services and the funding sources. As required by state law, urban services will be provided in a manner that treats the Orchard Woods area in the same manner that other City areas similar in size and population are treated. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. Immediately upon annexation the City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance. Street lighting and street construction will be provided in accordance with the standard processes of the City, which include petitioning and financial participation by property owners. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies. Existing facilities of the Fort Wayne Parks and Recreation Department will also be available to residents of the area upon annexation. Park development within the annexation area is contingent upon the park planning standards and methods used throughout the City.

The specifics of implementing the services mentioned above are presented in the following departmental reports. The service departments of the City will be notified prior to the date that the Orchard Woods area becomes part of Fort Wayne. This will allow the departments time to adjust their jurisdictional boundary lines and prepare proper service strategies.

### A. POLICE

The Fort Wayne Police Department will become responsible for servicing the Orchard Woods area immediately upon annexation. This service generally includes the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger

of physical harm, the resolution of day-to-day conflicts among family, friends and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 1 will be expanded to cover the Orchard Woods Annexation Area. The Police Department keeps tabulation on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. A maximum number of 11 patrols is forecast for the annexation area within a 24-hour period. The A and C shifts will make a maximum of 4 patrols while the B shift will make a maximum of 3 patrols. Even though there will be daily variations, the Chief of Police will routinely monitor service delivery and make necessary adjustments in patrol districts, patterns, and manpower so that response time to high priority calls will be approximately 3 minutes which is standard for the City.

The cost to provide police protection to the Orchard Woods Annexation Area will be \$602.25 a year. This cost is based on a maximum of 11 patrols in a 24-hour period. To arrive at the total cost for police services, the number of street miles in the annexation area is calculated and multiplied by the travel cost per mile. Funding for police manpower and equipment to be used for the annexation area will come from the regular Police Department budget which is derived primarily from local property taxes through the General Fund. Any monies allocated to the General Fund can be used for this budget and these services.

ESTIMATED ANNUAL COST: \$602.25

#### B. FIRE DEPARTMENT

The Fort Wayne Fire Department will provide service to the Orchard Woods Annexation area immediately upon incorporation. The services provided include fire protection and suppression, emergency rescue, and fire prevention. The first responding fire company will be from Station 13 at 1103 E. Coliseum Blvd. If needed, backup response will come from Station 6 at 1500 W. Coliseum Blvd. and Station 14 at 3400 Reed Road.

Presently, the Fort Wayne Fire Department serves an area contiguous to over one-half of the proposed annexation area. Some of this area is north of the annexation area and is further away from Station 13. Therefore, the Fire Department's response time to the annexation area will be within the standards maintained by the City. In addition, the response distance for the Fire Department is well



within the limits advised by the Insurance Services Organization. The maximum response distance suggested by the Insurance Services Organization is 4 miles. The greatest distance to be covered by the Fort Wayne Fire Department in response to a call in the Orchard Woods area will be 2.8 miles.

This particular annexation will not require a new fire station nor, will it require additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, gasoline and the like. However, the operating costs will be minimal considering that the Orchard Woods Annexation area will be only a fraction of the total area serviced by the City. Funding for the operating costs will come from the Fire Department budget through the General Fund.

ESTIMATED ANNUAL COST: \$230.00

#### C. EMERGENCY MEDICAL SERVICE

Immediately upon annexation, the Orchard Woods Annexation area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes both Basic Life Support and Advanced Life Support. The service provided by EMS will be equivalent to service provided to other areas within the City.

EMS response will come from Fire Station 13 located on the corner of Parnell and Coliseum Blvd. In addition, for some emergencies such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. This assistance will come from Station 6 with back up response coming from Station 14 and Station 10. The Fire Department trains a number of its personnel so that each station has an emergency medical technician. Therefore, the firemen are able to administer medical treatment to residents before the ambulance arrives to transport them.

The method of financing Emergency Medical Service is based on charging residents who use the service. The charge will be \$65 for non-emergency runs to \$120 for emergency runs. This method of financing permits EMS service to be extended to the Orchard Woods Annexation with its existing budget. In other words, the residents will pay directly for EMS service only when they need it.

ESTIMATED ANNUAL COST: \$0

#### D. SOLID WASTE DISPOSAL

The City of Fort Wayne will provide garbage collection to the Orchard Woods area immediately upon annexation. The City currently contracts with National Serv-All to provide this service. According to the contract, the City is charged \$35.88

per household per year by National Serv-All for single family and duplex housing. In multiple family developments, however, the costs for solid waste collection is \$35.88 for every two units. Since the Orchard Woods annexation contains 33 single family and 14 multiple family units, garbage disposal for the area will cost the City \$1,435.16 a year. The collection service will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

ESTIMATED ANNUAL COST: \$1,435.16

#### E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the Orchard Woods area immediately upon annexation. It will take the Department 8 to 10 months to upgrade the traffic control system so that it is comparable to that of the City's. Some of the services that can be provided by the Traffic Engineering Department are surveys and investigations of traffic conditions and problems. The Department can also recommend and implement solutions to traffic control problems. Finally, the Department provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems.

The Traffic Engineering Department will not require additional personnel to perform its services in the Orchard Woods Annexation area, but additional traffic signs and posts will be needed. Other equipment or services that will be needed are for an annual paint program to line the streets. The costs for these items are listed below:

Table 1

ITEM	NUMBER	COST	COMBINED COST
Signs:			
Speed Limit - 35	1	\$22.80	\$ 22.80
Stop	1	\$27.50	\$ 27.50
Misc.:			
Posts - 12' 3 lb.	8	\$15.20	\$121.60
Paint Program		1.5¢ ft.	\$140.50
TOTAL COST			\$320.40

#### Traffic Engineering Costs

Incorporating the Orchard Woods Annexation area will create two types of expenditures for the Department of Traffic Engineering. First, there will be capital costs for such items as stop signs. Capital costs are a one time expense to upgrade the area's traffic control system so that it is compatible with the traffic control system of Fort Wayne. The total capital cost expected for this annexation is \$171.90. The second expenditure to be incurred by the Traffic Department is the annual cost to maintain the traffic control system. This cost is estimated to be \$148.50. Funding sources for these services will be from real estate taxes, Motor Vehicle Highway (MHV) funds, and Revenue Sharing funds.

CAPITAL COST: \$171.90

ESTIMATED ANNUAL COST: \$148.50

#### F. STREETS AND ROADS

The incorporation of the Orchard Woods Annexation area would add .57 miles of arterial and collector roads and .2 miles of residential roads. The streets within the annexation area are listed below followed by their classification, their physical makeup, and their condition.

Table 2

STREET	CLASSIFICATION	CONSTRUCTION MATERIAL	CONDITION
Cook Road	Arterial	Asphalt	Good
Apricot Court	Residential	Concrete	Fair
Tangerine Lane	Residential	Concrete	Good
Markwood Road	Residential	Concrete	Good

#### Road Classification

General maintenance of the streets listed above will be the responsibility of the Fort Wayne Street Department immediately upon the incorporation of the Orchard Woods area. This service includes snow and ice removal, mowing along the roadside, leaf pick up, and surface maintenance. The Traffic Engineering Department will also provide engineering services and construction supervision of all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be comparable to those services already provided to the City of Fort Wayne immediately upon annexation. The average cost to provide general street maintenance is \$2,500 per mile of street, so the Orchard

Woods annexation will cost the City approximately \$1,925 a year to maintain. The source of funding for street maintenance is the Street Department budget which is composed of funds from Motor Vehicle Highway (MVH), Federal Aid Urban (FAU), and Local Arterials Roads and Streets (LARS).

Besides the mandatory maintenance services just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial and often collector streets can be improved with funding from accounts such as FAU and LARS. The cost to improve residential streets is split between the property owners petitioning for the improvements and the City. The property owners share is 75% and the City's is 25%. The City's share will come from Motor Vehicle Highway funds. All petitions from the Orchard Woods area will be treated equally with those petitions in the City and honored according to the same criteria such as filing date and amount of money available in any particular year. If annexed, the residents will be able to use Barrett Bonding as a capital source to finance their share of the street project.

ESTIMATED ANNUAL COST: \$1,925

#### G. PARKS

Residents of the Orchard Woods Annexation area presently have access to City park facilities such as swimming pools, ball diamonds, picnic facilities, day camp, golf courses, indoor and outdoor ice skating facilities, and so forth.

At this time, there are no plans for constructing parks in the Orchard Woods Annexation area as the current need does not require such improvements. If money is available from the Park General Fund, revenue sharing, or the Capital Improvement Fund, approximately 60 trees could be planted at 60-foot intervals along streets at \$45 a tree.

ANNUAL ESTIMATED COST: \$0

#### H. WATER

Over 80% of the structures within the Orchard Woods Annexation area are already served with City water. This includes approximately 25 residential households, 14 apartment units, and 3 commercial units. If requested, the Fort Wayne Water Utility has the capacity and the capability to provide sufficient volumes of water to the remaining portions of the annexation area. Some of the area can be served directly from the existing mains if a property is adjacent to these mains, or by the extension of distribution mains from existing distribution and/or feeder mains in the area. When the need arises, the balance of the area can be served with the construction

of various feeder mains. Such feeder mains are a part of the Master Plan For Fresh Water Supply and Distribution for the Fort Wayne-New Haven-Allen County area. They are included in a basic plan for capital improvements which is a confirmation of the view that the Orchard Woods area is appropriate for adjacent growth and is needed for the future development of Fort Wayne.

In 1982, a 16" water main is planned for construction along Cook Road. The proposed main will be funded out of the cash reserves of the utility. Assessments will be filed to recover the costs from property owners tapping in during a fifteen-year period. These owners will be assessed for a 6" line and the utility will pay the costs for the oversizing.

The extension of distribution lines to individual developments will be considered once the affected property owners in the area petition for such service. This procedure is the same used in the City proper. The property owners in the area must also finance the cost of the installation on either a cash basis, or with a mechanism similar to Barrett Bonding. The bonding procedure permits property owners to spread their payments for the installation costs over a ten (10) year period.

ESTIMATED ANNUAL COST: \$0

#### I. FIRE HYDRANTS

The Civil City of Fort Wayne pays the Water Utility \$151.20 annually for each fire hydrant located within the City. Since the proposed annexation area contains 7 hydrants, the City will pay the utility \$1,058.40 a year upon annexation. In addition, 4 to 6 additional hydrants will need to be installed on Cook Road. This will occur after the water main has been constructed along Cook Road.

ESTIMATED ANNUAL COSTS: \$1,058.40

#### J. SANITARY SEWERS

Over 50% of the existing residential units are hooked up to sanitary sewers. Figure 5 shows the location and size of existing sewers. Additional sanitary sewers can be provided by the Fort Wayne Department of Water Pollution Control. Before the City can provide sanitary sewers to the annexation area, the residents will first have to petition for such service. Residents will also have to pay for the installation of the sewers. A petition may be submitted before annexation, however, Barrett Bonding is available if the area is located within the City. Barrett Bonding permits residents to make long-term -- (10 years) low interest payments for their sewers.

ESTIMATED ANNUAL COST: \$0

#### K. STORM SEWERS

The Fort Wayne Department of Water Pollution Control does not provide storm sewer service to areas outside of the City. At this time, there is no record of a City storm drainage system in the annexation area. This means that upon annexation, the installation of a storm sewer system, or the maintenance of any existing storm sewer system already within the area is the responsibility of the property owners.

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the residents of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy that the financing of storm sewers be the responsibility of property owners. Residents can pay through Barrett Law Assessments which allows payment over a 10-year period at an interest rate generally lower than that available in the open market.

When the Board of Works receives a petition from the affected property owners, it will direct the Department of Water Pollution Control to make an investigation of storm drainage conditions. Upon completion of the study, a contract for storm drainage construction may be let by the Board of Works.

ESTIMATED ANNUAL COST: \$0

#### L. GENERAL

Upon annexation, all administrative functions of the City will be available to the Orchard Woods Annexation proposal. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayor's Office, The Board of Works, Metropolitan Human Relations, and so on. General administration includes all the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are developed with consideration of annexation, thereby, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, the State (MVH for example), and the Federal Government.

ESTIMATED ANNUAL COST: \$0

M. STREET LIGHTING

Presently, there are no city street lights located within the Orchard Woods area. However, the developer of the Orchard Woods subdivision is in the process of installing street lights. If the lights have been completed before the area is annexed to the city, it will be the responsibility of the residence association to maintain and operate them. After annexation, the Fort Wayne Street Lighting Department will assume maintenance and operation costs. If the lights operate 4,000 hours a year with 100-watt bulbs, the total operating costs will be \$48. The money for this operating expense will come from the City Utilities budget.

ESTIMATED ANNUAL COST: \$48



## Section Four – Financial Summary

The purpose of this section is to report the revenues and expenditures from the proposed Orchard Woods Annexation area. This section will also provide a five-year summary of the expenditures compared with the revenues.

### A. REVENUES

Property taxes are the main source of revenue to be received from the Orchard Woods Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Washington Township Assessor. The formula for computing tax revenue is shown in Table 3.

Table 3

$$\frac{V-E}{100} (T) - TC = TR$$

Where:

- V = Assessed Valuation
- E = Home Mortgage Exemption (\$1,000)
- T = Tax Rate (3.1934)
- TC = Tax Credit
- TR = Tax Revenue

### Tax Revenue Formula

The total assessed valuation of the proposed Orchard Woods Annexation is \$351,220. Deducted from this figure is \$33,000 in home mortgage exemptions (33 dwelling units x \$1,000 mortgage exemption = \$33,000). This deduction leaves a net balance of \$318,220 which is then computed with the City's 1981 tax rate of \$3.1934 per \$100 in assessed valuation. The computation equals \$10,162.04. Finally, a 20% tax credit is deducted from the \$10,162.04 sub-total to arrive at a final figure. So, the total amount of property tax revenue that could be expected from the annexation area to the City in 1982 is \$8,129.63. Table 4 lists the different funds that make up the Fort Wayne tax rate.

Table 4

FUND	TAX RATE
Corporation General	\$2.3042
Fire Pension	\$ .1811
Police Pension	\$ .1629
Redevelopment General	\$ .0117
Redevelopment Bond	\$ .1085
Park General	\$ .3704
Sanitary Officer Pension	\$ .0090
Street Bond	\$ .0456
<b>TOTAL</b>	<b>\$3.1934</b>

### Taxing District Rate

In addition to property taxes, the City receives revenues from Federal Revenue Sharing funds, the Community Development Block Grant, and the Local Road and Streets funds. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of Orchard Woods Annexation cannot be calculated. Still, these funds will increase with City population increases.

#### B. EXPENDITURES

Expenditures that were reported in the section on Municipal Services are summarized in Table 5. Capital costs are separated from operating costs, and they are considered as maximum expenditures. Since the needs of the Orchard Woods area must be treated equally with the needs of Fort Wayne, capital improvement projects such as the installation of streets, curbs, and sidewalks must follow routine City procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

#### C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Orchard Woods Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years an 11.7% inflation factor for municipal expenditures, and a 5% increase factor for City revenues. The 11.7% inflation

Table 5

DEPARTMENT	CAPITAL COSTS	OPERATING COSTS
Police	\$ .00	\$ 602.25
Fire	\$ .00	\$ 230.00
EMS	\$ .00	\$ .00
Solid Waste Disposal	\$ .00	\$1,435.16
Traffic Control	\$171.90	\$ 148.50
Streets	\$ .00	\$1,925.00
Street Lighting	\$ .00	\$ 48.00
Parks	\$ .00	\$ .00
Water	\$ .00	\$ .00
Fire Hydrants	\$ .00	\$1,058.40
Sanitary Sewer	\$ .00	\$ .00
Storm Sewer	\$ .00	\$ .00
Admin. Functions	\$ .00	\$ .00
<b>TOTAL</b>	<b>\$171.90</b>	<b>\$5,447.31</b>

### Expenditures in the Annexation Area

factor is the median percent change of selected price indexes (Services and Fuel Costs) as calculated by the 1980 Statistical Abstract of the United States.<sup>1</sup> The revenue factor is derived from the percent increase of assessed valuation in the State of Indiana. This increase is applied to the City's allowed levy ceiling.

Table 6 includes both capital and operating costs in the estimated first year expenditures. Capital costs are a one time expenditure to upgrade the proposed annexation area.

Table 6

	EXPENDITURES	PROPERTY TAX REVENUE	BALANCE
1983	\$ 5,619.21		-\$5,619.21
1984	\$ 6,084.64	\$ 8,962.91	+\$2,878.27
1985	\$ 6,796.54	\$ 9,411.05	+\$2,614.51
1986	\$ 7,591.73	\$ 9,881.60	+\$2,289.87
1987	\$ 8,479.96	\$10,375.68	+\$1,895.72
<b>TOTAL</b>	<b>\$34,400.18</b>	<b>\$38,631.24</b>	<b>+\$4,231.06</b>

### Revenues Minus Expenses

Property tax revenue from the annexation area will not be collected until 1984. Assuming the area is not annexed until January 1, 1983, assessment will not occur until March of the same year with revenues being collected in 1984. Since revenues are not collected for one year after the effective date of the annexation, the City will experience a loss of \$ 5,619.21 in 1983. However, beginning in 1984, the amount of revenue will exceed the projected cost estimates to service the area.

#### FOOTNOTES

1 Annual Percent Change in Selected Price Indexes: 1960 to 1970.  
The 1980 Statistical Abstract of the United States, U.S. Department of Commerce, Bureau of the Census, 101st Edition, Table 794, p. 478.

## Section Five--Summary and Recommendations

### A. INDIANA ANNEXATION STATUTES

The proposed Orchard Woods Annexation area meets the legal requirements of the Indiana Code on annexation procedures and appeals. Specifically, Indiana Law requires that an annexation area be bordered on one fourth ( $\frac{1}{4}$ ) of its aggregate external boundaries by the boundaries of the City, and that it is needed and can be used by the City for its future development. In addition, Indiana Law requires the preparation of a fiscal plan which delineates the capital and non-capital services to be provided the area within one and three years, respectively. The fiscal plan must also show the methods of financing City services as well as a plan for hiring employees of other governmental entities whose jobs are eliminated by the annexation. All of the provisions mentioned above have been adequately explained and satisfied in this Fiscal Plan. Therefore, the following paragraphs will only provide a brief summary.

First of all, 60% of the proposed annexation area's external boundaries are contiguous with the City. This means that THIS ANNEXATION DOUBLES THE 25% CONTIGUITY REQUIREMENT.

Section II of this Plan shows that the Orchard Woods Annexation area will experience urban development in the near future and that this development is needed by the City. Furthermore, Section II indicates that the annexation is designated in the City's 1975 annexation study as needed by the City to manage anticipated development and its related problems. Section II also states in detail that the Orchard Woods Annexation area is needed because it is a vital link with urbanized areas further north which are critical to the City's future growth strategy and ultimate well being. Finally, the incorporation of the Orchard Woods Annexation is needed to allow the City to broaden and preserve its tax base so that it can provide adequate services.

This document is the written fiscal plan which establishes a definite policy for providing municipal services to the Orchard Woods Annexation area. Section III of this document outlines how all non-capital services will be available within one year of annexation. Capital services will be provided in a manner consistent with federal, state and local laws, procedures and planning criteria. Police and fire protection, emergency medical services, and solid waste collection are considered essential for the health and safety of current residents and future employees of this area and will be available upon annexation. All other non-capital services and all administrative functions of the City will also be provided upon annexation and in the same manner as they are normally provided within the City.

As already indicated, no additional park services are required at this time as the area's population does not warrant additional service. When the annexation is passed by the Common Council, this document will be adopted and become an official document of the City. Then, when the annexation becomes effective, City departments will be notified and will modify their jurisdictions so that the plan can then be implemented.

Cost estimates are provided where appropriate as are statements regarding the funding methods. No employees of other governmental entities will lose their jobs because of this annexation, so no plan for the hiring of such employees is needed.

#### B. FORT WAYNE ANNEXATION POLICY

The Fort Wayne City Council has other annexation criteria in addition to those set forth by the Indiana Statutes. The preceding sections outline these criteria followed by the necessary response.

(1) the area proposed for annexation must have a unity of interest with the municipality:

The Orchard Woods Annexation is actually part of the Fort Wayne urban community. Residents share recreational and commercial facilities with city residents. Furthermore, with the construction of the water main, the City is installing major capital improvements in the area that will place more dependency on Fort Wayne service. Finally, the area is 60% contiguous to the City which makes it a natural extension of the City.

(2) the advantages to the proposed annexation must outweigh the disadvantages:

Advantages for the annexation area include the provision of urban services such as garbage collection, improved traffic control measures and the like. Also, residents will acquire a voice in City Government in which they share a mutual interest. There is an overall community benefit, of which Orchard Woods is part, of a more equitable tax base. Barrett Bonding for capital improvements will also be available upon annexation which will facilitate the process to obtain City sewers being installed in the area. The only major disadvantage to the residents is an increase in property taxes.

(3) the advantages to the City must outweigh the disadvantages:

The City will grow along with the urban area, thereby preserving a strong tax base and the

ability to provide adequate municipal services to City residents. Annexation of this area will help to eliminate the already existing tax inequities. City residents pay City and County taxes which help support services to the growing suburban residents. Yet suburban residents do not pay City taxes to support the services they are using. The City also needs this annexation to gain access to developing areas north of the annexation area. Finally, this area is needed by the City so that it can better manage expected growth in this area to the benefit of City residents.

- (4) the deficit of income against expenses to the City must not be unreasonable.

As shown in Section IV, Financial Summary, the City will receive almost \$4,231.06 more in revenue from 1983-87 than in expenses to provide municipal services.

- (5) the City must desire to annex the area.

The Orchard Woods Annexation is desired and needed by the City of Fort Wayne to permit the City to grow along the urban area, to preserve a strong tax base, to eliminate existing tax inequities, and to incorporate vacant ground. The City also desires this area so that it can better manage expected growth.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne with an effective date of January 1, 1983, as it meets both legal and local criteria for an acceptable and beneficial annexation.





# The City of Fort Wayne

OFFICE OF THE CITY CLERK

Charles W. Westerman, Clerk — Room 122

March 26, 1982

Ms. Judy High  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. High:

Please give the attached full coverage on the dates of March 31 and April 7, 1982, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bill No. X-81-12-25  
Annexation Ordinance No. X-01-82

Please send us five copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 1

LEGAL NOTICE

Notice is hereby given that on the 23rd day of March, 1982, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following X-01-82 Annexation Ordinance, to-wit:

BILL NO. X-81-12-25

ANNEXATION ORDINANCE NO. X-01-82

AN ORDINANCE annexing certain territory commonly known as Orchard Woods Annexation to Fort Wayne, and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the coporation of the City of Fort Wayne, Indiana, to-wit:

Part of S $\frac{1}{2}$  of Section 12, Township 31 North, Range 12 East; also part of N $\frac{1}{2}$  of Section 13, Township 31 North, Range 12 East; also part of W $\frac{1}{2}$  of Section 7, Township 31 North, Range 13 East; of W $\frac{1}{2}$  of Section 18, Township 31 North, Range 13 East;

To Wit:

Beginning at the NE corner of Lot #11 in Springwood Addition, Section I; thence south a distance of 637.4 feet along the east line of Lots 11-20, all inclusive, in Springwood Addition, Section I; thence east a distance of 575.2 feet along the north line of Lots 22-30, all inclusive, in Springwood Addition, Section I, thence south along the east line of Lot 30 in Springwood Addition, Section I, a distance 57.5 feet to a point; thence east on a line 600 feet north of and parallel with the south line of A.F. Smith's Subdivision to its intersection with the southeast right-of-way line of Interstate Road #69; thence northeasterly along the southeast right-of-way line of said Road to its intersection with the west right-of-way of Auburn Road; thence northwesterly along the west right-of-way of Auburn Road to the north right-of-way line of Cook Road; thence west along the north right-of-way line of Cook Road to a point located 506.8 feet west of the SE corner of the SW $\frac{1}{4}$  of Section 12, Township 31 North, Range 12 East; thence south to the south right-of-way line of Cook Road; thence west to the point of beginning. Area contains 75 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to area within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as

LEGAL NOTICE  
Notice is hereby given that on the 23rd day of March, 1982, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following A-01-82 Annexation Ordinance, to-wit:

BILL NO. X-81-12-25  
ANNEXATION ORDINANCE  
NO. X-01-82

AN ORDINANCE annexing certain territory commonly known as Orchard Woods Annexation to Fort Wayne, and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1: That the following described territory be, and that same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of S½ of Section 12, Township 31 North, Range 12 East; also part of N½ of Section 13, Township 31 North, Range 12 East; also part of W½ of Section 7, Township 31 North, Range 13 East; of W½ of Section 18, Township 31 North, Range 13 East.

To Wit:  
Beginning at the NE corner of Lot #11 in Springwood Addition, Section 1, thence south a distance of 637.4 feet along the east line of Lots 11-20, all inclusive, in Springwood Addition, Section 1, thence east a distance of 575.2 feet along the north line of Lots 22-30, all inclusive, in Springwood Addition, Section 1, thence south along the east line of Lot 30 a distance of 57.5 feet to a point, thence east on a line 630 feet north of and parallel with the south line of A.F. Smith's Subdivision to its intersection with the southeast right-of-way line of Interstate Road #69; thence northeasterly along the southeast right-of-way line of said Road to its intersection with the west right-of-way of Auburn Road, thence northeasterly along the west right-of-way of Auburn Road to the north right-of-way line of Cook Road; thence west along the north right-of-way line of Cook Road to a point located 508.8 feet west of the SE corner of the SW¼ of Section 12, Township 31 North, Range 12 East; thence south to the south right-of-way line of Cook Road; thence west to the point of beginning. Area contains 75 acres, more or less.

SECTION 2: It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3: Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4: Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5: This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE  
BEN A. EISBART  
Council member

Read the third time in full and on motion by Bradbury, seconded by Sliter, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight - Bradbury, Burns, Eisbart, Giza/Quinn, Harnish, Schomburg, Sliter, Talerico  
Nays: None  
Absent: One - Nuckols  
Date 3-23-82

Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-82 on the 23rd day of March, 1982.

ATTEST: (SEAL)

Charles W. Westerman  
City Clerk  
Samuel J. Talerico  
Pressing Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of March, 1982, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
City Clerk  
Approved and signed by me this 25th day of March, 1982, at the hour of 4:00 o'clock P.M., E.S.T.  
Winfield C. Moses, Jr.  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-01-82 passed by the Common Council on the 23rd day of March, 1982, and that said Ordinance was duly signed and approved by the Mayor on the 25th day of March, 1982 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 25th day of March, 1982.

CHARLES W. WESTERMAN  
CITY CLERK

General Form No. 99 P (Rev. 1967)

For: Common Council

To: JOURNAL-GAZETTE Dr.

County, Ind.

FORT WAYNE, INDIANA

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Size of quad upon which type is cast. 6.....

of Ch. 89., Acts 1967.

Amount is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

*Arvilla Dewald*

Title..... CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... ARVILLA DEWALD..... who, being duly sworn, says that she is..... CLERK..... of the

JOURNAL-GAZETTE

2..... DAILY..... newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town of

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... TWO TIMES..... the dates of publication being as follows: 3/31 - 4/7/82

Subscribed and sworn to before me this

7th

day of

April

19 82

November 29, 1985 Notary Public

My commission expires

Port Wayne Common Council

(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

1

173

2

176

COMPUTATION OF CHARGES

176 lines, 1 columns wide equals 176 equivalent lines at .300¢ \$52.80

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra

TOTAL AMOUNT OF CLAIM.

1.50

54.30

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arville DeWald

Apr. 7 82

Title CLERK

Form 904

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says

that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 3/31 - 4/7/82

Subscribed and sworn to before me this 7th day of April 19 82

November 29, 1985 Notary Public

My commission expires

LEGAL NOTICE  
Notice is hereby given that on the 23rd day of March, 1982, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following X-01-82 Annexation Ordinance, to-wit:

BILL NO. X-81-12-25  
ANNEXATION ORDINANCE  
NO. X-01-82

AN ORDINANCE annexing certain territory commonly known as Orchard Woods Annexation to Fort Wayne, and including the same in Councilmanic District No. 3.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and that same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of S½ of Section 12, Township 31 North, Range 12 East; also part of N½ of Section 13, Township 31 North, Range 12 East; also part of W½ of Section 7, Township 31 North, Range 13 East; of W½ of Section 18, Township 31 North, Range 13 East;

To-wit:

Beginning at the NE corner of Lot #11 in Springwood Addition, Section 8, thence south a distance of 837.4 feet along the east line of Lots 11-20, all inclusive, in Springwood Addition, Section 8, thence east a distance of 575.2 feet along the north line of Lots 22-30, all inclusive, in Springwood Addition, Section 1, thence south along the east line of Lot 30 in Springwood Addition, Section 1, a distance 57.5 feet to a point; thence east on a line 800 feet north of and parallel with the south line of A.F. Smith's Subdivision to its intersection with the southeast right-of-way line of Interstate Road #69; thence northeasterly along the southeast right-of-way line of said Road to its intersection with the west right-of-way of Auburn Road; thence northwesterly along the west right-of-way of Auburn Road to the north right-of-way line of Cook Road; thence west along the north right-of-way line of Cook Road to a point located 508.8 feet west of the SE corner of the SW¼ of Section 12, Township 31 North, Range 12 East; thence south to the south right-of-way line of Cook Road; thence west to the point of beginning. Area contains 75 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in a standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to the above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 3 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and final publication thereof as required by law.

CITY OF FORT WAYNE

BEN A. EISBART

Council member

Read the third time in full and on motion by Bradbury, seconded by Stier, and duly adopted, placed on its passage, PASSED by the following vote:

Ayes: Eight — Bradbury, Burns,

Eisbart, Glavin, Schmidt,

Schomburg, Stier, Telasco,

Nays: None.

Absent: One — Nuckolls.

Date 3-23-82.

Charles W. Westerman

City Clerk

Passed and adopted by the

Common Council of the City of

Fort Wayne, Indiana, on the

Ordinance No. X-01-82 on the

23rd day of March, 1982.

ATTEST: (SEAL)

Charles W. Westerman

City Clerk

Presented by me to the Mayor of

the City of Fort Wayne, Indiana, on

the 24th day of March, 1982, at

the hour of 11:30 o'clock A.M.,

E.S.T.

Charles W. Westerman

City Clerk

Approved and signed by me the

25th day of March, 1982, at the

hour of 4:00 o'clock P.M., E.S.T.

Winfield C. Moses, Jr.

Mayor

I, Charles W. Westerman, Clerk

of the City of Fort Wayne, Indiana,

do hereby certify that the above

and foregoing is a full, true and

complete copy of Annexation Ordinance No. X-01-82 passed by the

Common Council on the 23rd day

of March, 1982, and that said Ordinance was duly signed and approved by the Mayor on the 25th

day of March, 1982 and now remains on file and on record in my

office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, the 25th day of March, 1982.

CHARLES W. WESTERMAN

CITY CLERK

units

ion Council

County, Ind

General Form No. 99 P (Rev. 1967)

To NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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3 extra 1.50

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9.6 picas Size of type 6 point

2 Size of quad upon which type is cast. 6

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D. ROOSE

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, D. ROOSE, who, being duly sworn, says

that she is, CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being

as follows: 3/31 - 4/7/82

Subscribed and sworn to before me this 7th day of April, 1982

November 29, 1985 Notary Public

My commission expires

## Fort Wayne Common Council

To.....NEWS-SENTINEL.....Dr.

(Governmental Unit)

Allen

.....County, Ind

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

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Number of insertions.....2.....

Size of quad upon which type is cast.....6.....

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I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. ROOSE

Apr. 7 82

Date....., 19.....

Title.....CLERK.....

Form 903

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....D. ROOSE.....who, being duly sworn, says that she is.....CLERK.....of the

NEWS-SENTINEL

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3/31 - 4/7/82

Subscribed and sworn to before me this

7th

D. ROOSE

April 19 82

November 29, 1985

My commission expires



Rugby stripes short  
sleeve sweaters...casual  
V-neck styled in assortec  
pasteis. Silk/acrylic  
blend. S-M-L

IF PE  
766  
MISSISSIPPI  
SWEATERS

B. 1 button, side closing co  
lees jacket with vinyl belt a  
straight skirt.  
• Linen look polyester/ray  
blend in Black or Red with  
braided trim...unlined. Sizes